

**In the Court of District & Additional Sessions Judge-IV  
-cum-Exclusive Special Judge (RAPE & POCSO), Sitamarhi.**

**A.B.P. No.189/2026  
Rohit Kumar @ Rohit Kushwaha Vs. State**

**-ORDER-  
15.04.2026**

1. This anticipatory bail petition has been filed on behalf of the accused/petitioner namely, **Rohit Kumar @ Rohit Kushwaha S/o- Lالبابو Mahto** who is apprehending his arrest in connection with Sonbarsa P.S. Case No.13/2026, registered u/s. 69 of B.N.S. Copy served. Heard and perused the case record and copy of case dairy as available.
2. Heard Sri Narayan Jha learned counsel for the accused/petitioner and the learned Spl. P.P. for the State.
3. The learned counsel for the accused/petitioner has submitted that no other anticipatory bail petition has been filed on behalf of the accused/petitioner either before this court or before the Hon'ble High Court, Patna earlier. It has been submitted that the accused/petitioner is innocent and has committed no offence and has falsely been implicated in this false case due to put criminal pressure. It has been submitted that accused/petitioner has no criminal antecedent. It has been submitted that the fact is that informant's father want to solemnize marriage of informant with accused and due to which he since last two years put pressure to accused and his family members for solemnization of marriage and lodged this false case. It has been submitted that from perusal of FIR it is evident that accused's marriage has been solemnized with informant so, under this circumstance no case is made out u/s. 69 of B.N.S. against the accused/petitioner. It has been submitted that accused/petitioner has no concerned with informant. Lastly, prayer has been made to grant anticipatory bail to the accused/petitioner.
4. On the other hand, learned Spl. P.P. opposed the prayer for anticipatory bail of accused/petitioner.
5. The case of prosecution, as per written application of informant-cum-victim, in brief, alleging therein that in the month of Sawan in 2022, victim went to see the Madiya fair and while returning home, she went to her aunt's village, Kachharipur. During the same night accused Rohit Kushwaha S/o- Lالبابو Mahto came to her aunt's house and finding a secluded place, started molesting her and told her to marry him, saying he would keep her happy forever. Victim fell into Rohit Kushwaha's trap. Rohit Kushwaha seduced her and had sexual relations with her and while having sex, he took photo-video of her naked state with his mobile phone, at that time she was minor and her age was 16 years. When victim told Rohit Kushwaha that she would marry him soon, he said that she was still a minor and would marry her when she turned 18. After that, Rohit Kushwaha started calling victim on her home number 7250270121 and from his own number 9905915080, threatening to make her photos and videos of her vulnerable state viral, and begging her to various places to have sex with her. Last year, a day before the festival of 2015, Rohit Kushwaha brought victim to Sitamarhi on the pretext of showing her around the city and took her to Hanuman Hotel, Mehsaul and had sexual intercourse with her. During that time, Rohit Kushwaha again took photos and videos of victim naked state with his mobile phone. When she refused to take photos and videos, he threatened to kill her. After that, Rohit Kushwaha sent photos and videos of her naked state on WhatsApp from his mobile number 9905915080 to victim's home number 7250270121 and threatened to make them viral and called her to Hanuman Hotel, Mehsaul seven-eight times continuously and had sexual intercourse with her. Victim started insisting a lot on marrying Rohit Kushwaha, then he took her to Sitamarhi Janaki Sthan temple in the last Savan month of 2025 and after putting vermilion in her parting, said that now we are married and again took victim to Hanuman Hotel, Mehsaul and had sexual intercourse with her and wrote his name Rohit in English with henna on her breast and took photos and videos of her naked state with his mobile phone. While

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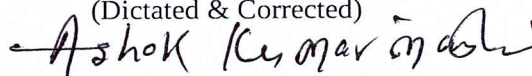
returning home, victim told Rohit Kushwaha that you have married me. Now, you take me to your home, but he refused to take her to his home and left her in Sitamarhi and ran away. Victim went to her home crying and told the whole incident to her parents. After that, her parents went to Rohit Kushwaha's house and called the people of the village community and held several panchayats and asked him to keep victim with them. Rohit Kushwaha, his parents and his uncle Shyam Mahato demanded half of the total property, land and Rs.20,00,000/- from victim parents. Victim is a helpless girl, Rohit Kushwaha deceived her when she was a minor and sexually exploited her. Accused has been continuously sexually exploiting victim by sending her nude photos and videos on WhatsApp to her home mobile number 7250270121 from his mobile number 9905915080 and threatening to make them viral. And even after marrying her in Sitamarhi Janaki Sthan in the last month of Sawan in 2025, he now refuses to keep her with him and in return he demands Rs.20,00,000/- as land, half of the total property from her parents.

6. Having gone through the case record and xerox copy of case diary as available, and the submissions as placed on behalf of both sides, it is evident that accused/petitioner is not named accused in the F.I.R. but during investigation he implicated in this case with allegations that accused/petitioner on allurement has forcibly committed rape upon informant-cum-victim. From perusal of case diary, in para no.10 & 11 the witnesses in their statements have supported the case of prosecution. In para no.09 & 25 of case diary, the victim in her statement recorded u/s. 180 & 183 of B.N.S.S. respectively, disclosed the name of this accused/petitioner and made allegation of rape against accused/petitioner. There is direct & specific allegation against accused/petitioner. There is several incriminating material in case diary against accused/petitioner. The act committed by the accused/petitioner is heinous in nature. Investigation is still pending.

7. Considering the aforesaid facts and circumstances of case, the heinous nature of offence, direct and specific allegation against accused/petitioner, this court is not inclined to enlarge the accused/petitioner namely, **Rohit Kumar @ Rohit Kushwaha** on anticipatory bail. Accordingly, the prayer for anticipatory bail of accused/petitioner is hereby rejected.

8. Let order be uploaded on CIS and copy of order (if any) be sent to the concerned court for information and needful.

(Dictated & Corrected)



I/C. Dist. & Addl. Sess. Judge-IV

-cum-Excl. Special Judge (RAPE & POCSO),

Sitamarhi

15.04.2026